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June 15, 2005

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Re: *Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers CG Docket No. 02-386*

Dear Ms. Dortch:

On April 14, 2005 the CARE Coalition¹ met with members of the Consumer and Governmental Affairs Bureau and provided several suggested modifications to the Commission's *Report and Order* in the above referenced proceeding.² Those suggestions were detailed in the *Ex Parte* filed in this matter on April 15, 2005.

In the interest of clarity and completeness, the Coalition herein offers an additional suggestion related to the proposed no-PIC rule (Section 64.4003(b)) set forth in the *Report and Order*. When a customer contacts his current IXC to cancel the PIC and to select no-PIC status, the IXC is required to notify the LEC of the customer's desire for no-PIC. The Coalition suggests that the current rule be modified to include the related requirement that when a LEC receives such a notification, it responds to the IXC with a confirmation or reject.

The Coalition has reviewed Section 64.4002 (Notification Obligations of LECs) and believes that this minor modification to the rule will achieve the desired result. The proposed language changes are provided in the Attachment.

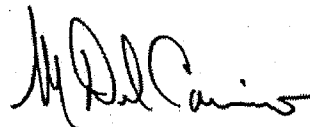
¹ Coalition Members are: AT&T, BellSouth, MCI, Qwest, SBC, Sprint and Verizon.

² *Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers*, CG Docket No. 02-386, Report and Order, released February 25, 2005; published in Federal Register at 70 Fed Reg 32258 (June 2, 2005) ("*Report and Order*").

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One electronic copy of this Notice is being submitted to the Secretary of the FCC in accordance with Section 1.1206 of the Commission's rules.

Sincerely,

A handwritten signature in black ink, appearing to read "M. DelCarmine". The signature is fluid and cursive, with a long horizontal stroke at the end.

Attachment
cc: Lisa Boehley

Attachment

Coalition proposed language to incorporate reciprocal LEC obligations for No-PIC

§ 64.4002 Notification obligations of LECs.

To the extent that the information is reasonably available to a LEC, the LEC shall provide to an IXC the customer account information described in this section consistent with section 64.4004. Nothing in this section shall prevent a LEC from providing additional customer account information to an IXC to the extent that such additional information is necessary for billing purposes or to properly execute a customer's PIC order.

(d) Customer contacts LEC or new IXC to change [remove cancel] PIC, or current IXC to select no-PIC. When a LEC has removed at its local switch a presubscribed customer from an IXC's network, in response to a customer order, [remove or] upon receipt of a properly verified PIC order submitted by another IXC, **or upon receipt of the current IXC's request to change the PIC to no-PIC**, the LEC must notify the customer's former IXC of this event. The LEC must provide to the IXC the customer account information that is necessary to allow for proper final billing of the customer by the IXC including but not limited to: (1) the customer's billing telephone number, working telephone number, and, billing name and address; (2) the effective date of the PIC change; (3) a description of the customer type (i.e., business or residential); (4) the jurisdictional scope of the lines or terminals affected (i.e., intraLATA and/or interLATA and/or international); and (5) the carrier identification code of the **IXC [remove submitting LEC]**. If a customer changes PICs but retains the same LEC, the LEC is responsible for notifying both the old PIC and new PIC of the PIC change. The notification also must contain information, if relevant and to the extent that it is available, reflecting the fact that a customer's PIC removal was the result of: (1) the customer moving from one location to another within the LEC's service territory, but where there is no change in local service provider; (2) a change of responsible party on an account; or (3) a disputed PIC selection.